

JUSTIN X. WANG (CSB #166183)
BAUGHMAN & WANG
 111 Pine Street, Suite 1350
 San Francisco, California 94111
 Telephone: (415) 576-9923
 Facsimile: (415) 576-9929

Attorney for Plaintiff

Shui Ming XU

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Shui Ming XU

Plaintiff,

Michael Chertoff, Secretary of the Department
 of Homeland Security;
Eduardo Aguirre, Director, U.S. Citizenship and
 Immigration Services;
Condoleezza Rice, Secretary of State;
John Daniel Morris, Consular Section Chief,
 American Embassy Beijing
Jeanette Chu, Officer-In-Charge,
 Department of Homeland Security, Immigration
 Office at the American Embassy Beijing,

Defendants.

Case No.: C 05-3012-MJJ

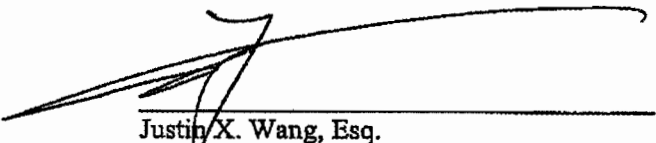
**STIPULATION OF DISMISSAL;
 ORDER**

Subject to approval of the Court, the parties hereby stipulates as follows:

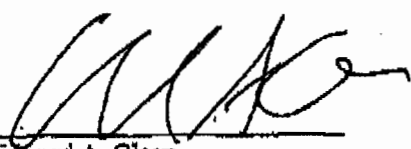
1. Pursuant to Fed. R. Civ. P. 41 (a)(1), Plaintiff hereby dismisses this action without prejudice.
2. The parties will bear their own fees and costs.

Dated: January 20, 2006

Respectfully submitted,


 Justin X. Wang, Esq.
 Attorney for Plaintiff


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4 Dated: January 19, 2006


Edward A. Olsen
Assistant U.S. Attorney
Counsel for Defendants

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8 ORDER

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10 Pursuant to the stipulation of the parties and good cause appearing therefor, IT IS SO
11 ORDERED. This case is hereby dismissed without prejudice. The clerk shall close the file.
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14 DATED: 1/20/2006


Martin J. Jenkins
United States District Judge